

Petition of  
B.F.M. Hurley

To the Honorable the Judges of the Circuit Court for Frederick County in Equity ~  
 The Petition of B.F.M. Hurley, respectfully, shews that it will appear from the Trustee's report in the cause No 3466 Equity, that your Petitioner became the purchaser at the sale by the Trustees, in said cause, of the real estate in the proceedings mentioned, of the Lot then known on the plat filed in said cause as Lot No. 3, at and for the sum of \$1575 - And that he gave to said Trustees his notes with security for the two thirds of said purchase money, and was about to pay them this day the one third as cash payment in money when he discovered and now shews to your Honor the following facts, to wit: That there is not on the north side of the House laid down on said plat and described in the Advertisement of said Trustees, a copy of which is herewith filed, marked Exhibit A, an entrance of eight feet ten inches as mentioned in said Advertisement, and that the said Trustees refuse to give or secure to your petitioner said entrance - That your Petitioner, when he became such purchaser, believed as well from said Advertisement, as from said plat that there was such entrance, and that there is no entrance to said Lot at any other place which could be substituted for it, and as would secure to your Petitioner any entrance for Cart or Wagons or Carriages to said Premises - That your Petitioner was led into the said mistake and error on examining said plat, by supposing that said plat correctly represented the location of the House on said Lot, and also of the stable on Lot No. 4, whereas he now discovers, and is informed by the Surveyor who made said Plat, that the House mentioned represents only the front building, and does not contain any representation of the back building attached to and forming part of said Dwelling House, and that said back building is so located that it runs to or very nearly to the line between said Lots No. 3 & No. 4, so that the effect is, that although there is on said North side a vacant space of eight feet ten inches between the corner of the said front house and Lot No. 3, and the line of Lot No. 4, yet that space is entirely closed up by the back wall of the back building, attached to said house, running to the said line, in such manner, that the only entrance which your petitioner could have, would be from the front street, to the back wall of the back building, and not in fact to the yard or any part of the back premises or Lot, and to continue an entrance to the Lot or premises so as to be effective or useful for any purpose, your petitioner would be compelled to destroy said back building, and continue the entrance through the present site of the same - In other words, there is no entrance to said premises on the North side of said House of any substantial or practical value or use, as is set forth in said advertisement, and is also shown or apparently intended to be shown by said plat. ~ Your petitioner further states that it was represented to him that the line between Lots No. 3 & 4 ran close to the stable, marked on said plat on Lot No. 3, and that such appears from said plat, but that in fact said line does not run within several feet of said stable, and he is now informed by said Surveyor that in marking said stable on Lot No. 3, he did not design to indicate its correct location in reference to said line, and that said plat does not indicate the correct location in reference to said line, and that said plat does not indicate the correct location thereof. ~ Your petitioner further states that the said property, without said entrance described in said advertisement is of greatly less value than the purchase money which he bid for the same. That he made his bid under the confidence that said entrance was as represented, and that he is unwilling to take said property deprived of said entrance - That he has made every effort in his power by conference with the solicitor of the complainants and the said Trustees to adjust the difference by some compromise by which he might secure some entrance which